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(to be used for all correspondence after initial filing)

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|--|--|------------------------|--------------------|
| | | Application Number | 10/090,182 |
| | | Filing Date | March 3, 2002 |
| | | First Named Inventor | Bauer |
| | | Art Unit | 1647 |
| | | Examiner Name | Robert S. Landsman |
| Total Number of Pages in This Submission | | Attorney Docket Number | 43392-P02W2P1D1 |

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Acknowledgment Postcard |
| <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> Remarks |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---------------------------------|----------|--------|
| Firm Name | Winstead Sechrest & Minick P.C. | | |
| Signature | | | |
| Printed name | Carol M. Nielsen | | |
| Date | January 21, 2005 | Reg. No. | 37,676 |

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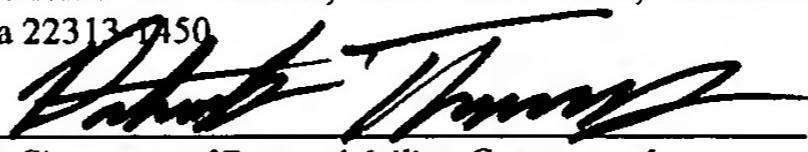
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| <u>Patrick Dewayne Thomas</u> | <u>Typed or Printed Name of Person Mailing Correspondence</u> |
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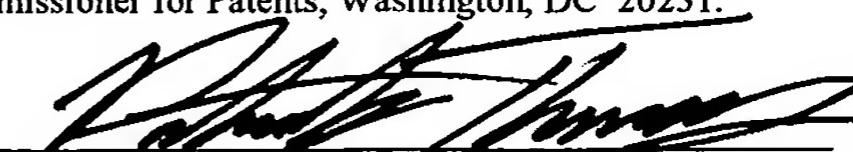
01-24-05

JFW 1647

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1647
Examiner: Robert S. Landsman
Applicants: Bauer, et al.
Application Number: 10/090,182
Filed: March 3, 2002
For: METHOD OF EX-VIVO EXPANSION
OF HEMATOPOIETIC CELLS USING
INTERLEUKIN-3 (IL-3) MULTIPLE
MUTATION POLYPEPTIDES

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RESPONSE TO OFFICE COMMUNICATION MAILED DECEMBER 21, 2004

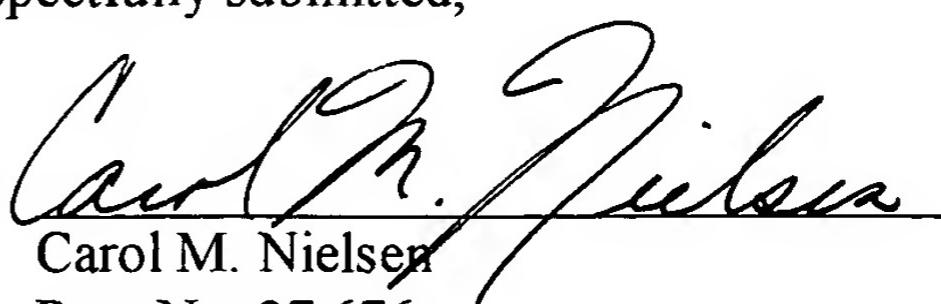
This is a response to the Official Communication mailed December 21, 2004 and an amended response to the Restriction Requirement mailed November 4, 2004.

Claims 27-34 are subject to a restriction requirement under 35 U.S.C. § 121. Applicant hereby elects Claims 27 and 31-34, and SEQ ID NO. 15 with traverse, for continued prosecution.

Applicant elects with traverse because simultaneous examination of the inventions does not impose an undue burden of examination on the Examiner.

If the restriction requirement is made final, applicant reserves the right to continue prosecution of non-elected groups in one or more continuing applications.

Respectfully submitted,

By: 
Carol M. Nielsen
Reg. No. 37,676

Date: January 21, 2005

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Attorney Docket No. 43392-P02W2P1D1